

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
JACKSON DIVISION**

WILLIAM CHRISTOPHER KELLUM

PLAINTIFF

V.

CIVIL ACTION NO. 3:09CV347 HTW-LRA

**BAXTER INTERNATIONAL INC. AND
SUBSIDIARIES WELFARE BENEFIT PLAN
FOR ACTIVE EMPLOYEES**

DEFENDANT

ORDER OF DISMISSAL WITH PREJUDICE

This cause came on for hearing on the motion, *ore tenus*, of the parties for the entry of an order of dismissal of this lawsuit with prejudice. The court, having considered said motion, finds that the parties have reached a compromise and settlement of this cause, so that there remain no issues to be tried or determined by this court. The court being otherwise fully advised in the premises, is of the opinion, and so finds, that said motion is well taken and should be granted.

IT IS, THEREFORE, ORDERED AND ADJUDGED that the Complaint herein be, and the same is hereby, dismissed with prejudice, with each party to bear its own costs and attorneys' fees; provided, however, that the court retains jurisdiction to enforce the "Confidential Settlement Agreement and General Release" entered into by the parties.

SO ORDERED AND ADJUDGED, this the 26th day of March, 2010.

**s/ HENRY T. WINGATE
CHIEF JUDGE
UNITED STATES DISTRICT COURT**

APPROVED AS TO FORM AND CONTENT:

s/Thomas McCraney, III

W. Thomas (Tad) McCraney, III
MS Bar Number 10171
Attorney for Plaintiff

s/Timothy M. Threadgill

TIMOTHY M. THREADGILL
MS Bar Number 8886
Attorney for Defendants

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